The Long Road Toward Reducing Greenhouse Gas Emissions from Aviation

1994 - Publication of “Aviation and Global Warming” begins public debate on aviation and climate change.

1996 – UNFCCC SBSTA considers accounting methods for emissions of flights traveling between different countries. SBSTA explicitly rejects accounting on the basis of the sovereign airspace where the emissions occurred, because doing so would yield “orphan emissions” and perverse results.

1997 – Kyoto Protocol Article 2.2 states that Parties included in Annex I of the UNFCCC “shall pursue limitation or reduction of emissions...from aviation and marine bunker fuels, working through ICAO and IMO, respectively.”

1998 – UNFCCC COP endorses SBSTA’s accounting decision, rejecting the airspace-based methodology for accounting for emissions from aviation.

2002 – After five years of pursuit in ICAO, European Parliament and Council direct European Commission to propose aviation emission reductions if ICAO does not act.

2004 – CAEP announces that an aviation-specific emissions trading system based on a new legal instrument under ICAO auspices seems sufficiently unattractive that it should not be pursued further. ICAO Executive Committee asks ICAO to provide, “consistent with the UNFCCC process,” guidance to Contracting States on incorporating international aviation emissions into national emissions trading programs. ICAO General Assembly Resolution A35-5 endorses this approach.


2007 – EU places formal reservation on Appendix L to ICAO Resolution A36-22 which urges Contracting States not to implement an emissions trading system on other Contracting States’ aircraft operators except on the basis of mutual agreement between those States. EU member states reserve right under Chicago Convention to enact and apply market-based measures on a non-discriminatory basis to all aircraft operators providing services to, from or within their territories.

2009 – After four years of stakeholder dialogue and 11 years of ICAO inaction, EU adopts Aviation Emissions Trading Directive in February. The Directive’s pollution cuts will take effect from January 1, 2012. US airlines file suit in UK High Court to try to block the EU aviation directive.

2010 – With many reservations, ICAO adopts guidance for international aviation in Contracting States’ emissions trading system. The UK High Court refers the airlines’ case to the European Court of Justice.

2011 – See bottom left.

CAEP – ICAO Committee on Aviation & Environmental Protection • COP – Conference of the Parties • ECJ – European Court of Justice • EU – European Union • ICAO – International Civil Aviation Organization • IMO – International Maritime Organization • SBSTA – UNFCCC Subsidiary Body on Scientific & Technological Advice • UNFCCC – UN Framework Convention on Climate Change